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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,981	10/20/2003	Beom-jun Jin	5649-1135	8976
20792	7590	10/09/2007	EXAMINER	
MYERS BIGEL SIBLEY & SAJOVEC			KARIMY, MOHAMMAD TIMOR	
PO BOX 37428			ART UNIT	PAPER NUMBER
RALEIGH, NC 27627			2815	
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10/09/2007		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/689,981	JIN, BEOM-JUN	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mohammad Timor Karimy	2815	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 02 July 2007.
- 2a) This action is **FINAL**.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-5, 10, 11 and 28-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-5, 10-11 & 28-30 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 21 October 2006 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. The limitations of claim 11 are not shown in the drawings, which make this claim vague and unclear. Therefore, the limitations of claim 11 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 11 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 11 recites the limitation "bit line contact plugs which are electrically connected to some of the contact pads" in line 3 and the limitation "bite line patterns which are formed on the bit line contact plugs and electrically connected to the bit line contact plugs" in lines 5-6. Regarding the first limitation cited above, it is unclear how the bit line contact plug 434 is electrically connected to some of the contact plugs 415. As shown in applicant's figure 7, there are the second interlevel dielectric layer 420 and the first interlevel dielectric layer 410 isolating the bit line contact plug 434 from the contact pads 415. Regarding the second limitation, it is unclear how the bit line patterns 436 comprising silicon nitride, an insulator, is electrically connected to the bit line contact plug 434.

Appropriate correction/clarification is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3, 5 & 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koga et al. (US Patent 6,649,500 B2) in view of Igarashi et al. (US Patent 6,838,732 B2).

With regard to claim 1, Koga teaches in figure 10(d) an integrated circuit device comprising:

a conductive contact 213a in a hole 212 in an interlevel dielectric layer;  
a first spacer 207 having a first dielectric constant on a side wall of the hole; and  
a second spacer 209 having a second dielectric constant located between the first spacer and the side wall of the hole, wherein the first dielectric constant is less than the second dielectric constant.

However, Koga does not explicitly teach a contact pad connected to the conductive contact. Nonetheless, Igarashi teaches in figure 16, wherein a silicide contact pad 105 is positioned to make an ohmic contact with a diffusion layer 104 underneath. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Koga by using a silicide contact pad as taught by Igarashi in the interest of an ohmic contact with the diffusion layer 208 underneath. Therefore, Koga and Igarashi are combinable. Moreover, Igarashi's contact pad 115 covers the entirety of the surface underneath the conductive contact 106, therefore, once used in Koga's device, Koga's first spacer will extend to contact the silicide contact pad, and Koga's second spacer will not contact the silicide contact pad.

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With respect to claim 2, Koga teaches in figure 10(d) the integrated circuit device according to claim 1, wherein the first spacer 207 comprises silicon oxide and the second spacer 209 comprises silicon nitride.

With respect to claim 3, Koga teaches in figure 10(d) the integrated circuit device according to claim 1, wherein the thickness of the first spacer is in about 50 Å° (column 6 line 52).

With respect to claim 5, Koga teaches in figure 10(d) the integrated circuit device according to claim 1, further comprising:

a conductive line 204 in the interlevel dielectric layer adjacent to the first spacer opposite the conductive contact.

With respect to claim 28, Koga teaches in figure 10(d) the integrated circuit device according to claim 5, wherein the conductive line comprises a gate line pattern.

With respect to claim 29, Koga teaches in figure 10(d) the integrated circuit device according to claim 5, wherein the conductive line comprises a bit line pattern.

With respect to claim 30, Koga teaches in figure 10(d) the integrated circuit device according to claim 5, wherein the conductive line comprises an interconnection line pattern.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Koga et al. (US Patent 6,649,500 B2) and Igarashi et al. (US Patent 6,838,732 B2) as applied to claims 1-3 and 4, and in further view of Yokoyama (US Patent 6,703,715 B2).

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With respect to claim 4, Koga does not explicitly teach a thickness of between 10 A° and 300 A° for the second spacer. Koga, however, teaches a thickness of 500 A° for the second spacer. Nonetheless, these claimed dimensions are considered obvious to one of ordinary skill in the art in view of Koga. For instance, Yokoyama teaches in column 7 lines 60-51 a thickness of about 200 A° for a spacer. One of ordinary skill in the art is motivated to form device features within and about 10 A° and 300 A° to provide proper isolation as well as allow proper device operation. As such, it would have been obvious to use the aforementioned range of about 10 A° and 300 A°.

These claims are *prima facie* obvious without showing that the claimed ranges achieve unexpected results relative to the prior art range. *In re Woodruff*, 16 USPQ2d 1935, 1937 (Fed. Cir. 1990). See also *In re Huang*, 40 USPQ2d 1685, 1688 (Fed. Cir. 1996)(claimed ranges of a result effective variable, which do not overlap the prior art ranges, are unpatentable unless they produce a new and unexpected result which is different in kind and not merely in degree from the results of the prior art). See also *In re Boesch*, 205 USPQ 215 (CCPA) (discovery of optimum value of result effective variable in known process is ordinarily within skill of art) and *In re Aller*, 105 USPQ 233 (CCPA 1955)(selection of optimum ranges within prior art general conditions is obvious).

8. Claims 10 and 11, in so far as definite, are rejected under 35 U.S.C. 103(a) as being unpatentable over Koga et al. (US Patent 6,649,500 B2) and Igarashi et al. (US Patent 6,838,732 B2), and in further view of Yokoyama (US Patent 6,703,715 B2).

With respect to claim 10, Koga teaches in figure 10(d) an integrated circuit device comprising:

an integrated circuit substrate (column 14, lines 32-33) in which source/drain regions 208 are formed;

a first interlevel dielectric layer 210 which is formed on the integrated circuit substrate;

gate line patterns 203 which are formed in the first interlevel dielectric layer;

first contact spacers 207 which are formed along the side walls of the contact holes, the first contact spacers being formed of silicon oxide;

second contact spacers 209 which are formed of silicon nitride and formed on the first contact spacers; and

contact plugs 213a which are present in the contact holes between the second contact spacers.

However, Koga does not explicitly teach contact pads between adjacent gate line patterns and connected to the source/drain regions. Nonetheless, Igarashi teaches in figure 16, wherein a silicide contact pad 105 is positioned to make an ohmic contact with a diffusion layer 104 underneath. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify Koga by using a silicide contact pad as taught by Igarashi in the interest of an ohmic contact with the diffusion layer 208 underneath. Therefore, Koga and Igarashi are combinable.

Moreover, Koga does not explicitly teach a second interlevel dielectric layer on the first interlevel dielectric layer having a via hole. Nonetheless, the use of stacked

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interlevel dielectric layers is common in the semiconductor metallization structures. For instance, Yokoyama teaches in figure 5 interlevel dielectric layers 30 & 34a-b to provide insulation between neighboring elements. Moreover, the interlevel dielectric layers have via holes for electrical connection between the various levels. As such, the use of a second and/or third interlevel dielectric layers having contact holes is obvious to a person of ordinary skill in the art.

### ***Response to Arguments***

9. Applicant's arguments with respect to claims 1-5, 10-11 & 28-30 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee et al. (US Patent No. 6,383,882) and Cho et al. (US Patent 6,770,927 B2) discuss the use of spacers, gate patterns and interconnect structures.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad Timor Karimy whose telephone number is 571-272-9006. The examiner can normally be reached on 8:30 AM - 5:00 PM.

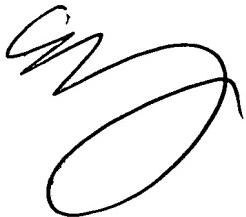
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ken Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

mtk

EUGENE LEE  
PRIMARY EXAMINER

A handwritten signature consisting of a stylized, cursive 'E' followed by a more fluid, flowing script.